

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

**IN RE: JOHNSON & JOHNSON
TALCUM POWDER PRODUCTS
MARKETING, SALES
PRACTICES, AND PRODUCTS
LIABILITY LITIGATION**

***THIS DOCUMENT RELATES TO
ALL CASES***

MDL No. 16-2738 (MAS) (RLS)

[PROPOSED] ORDER REGARDING CMO 9 NOTICES

THIS MATTER, having been brought before the Court by the filing of notices of inability to substitute a party plaintiff pursuant to Case Management Order No. 9 and Defendants Johnson & Johnson and LLT Management, Inc., f/k/a LTL Management, Inc.'s ("Defendants") Omnibus Response to those notices; and the Court having considered the papers and any opposition thereto; and having considered the arguments of counsel, if any; and for good cause shown;

IT IS on this ____ day of _____, 2024, **ORDERED** as follows:

1. All notices of inability to substitute the party plaintiff filed by plaintiffs pursuant to Case Management Order 9 are hereby deemed to be notices of death for purposes of Fed. R. Civ. P. 25.

2. All cases to which Case Management Order No. 9 applies (i.e., those in

which the plaintiff was deceased as of September 1, 2023) shall either move to substitute a proper plaintiff or file an amended complaint pursuant to Paragraph 1 of the Court's October 10, 2023 Order Governing Amendments to Complaints (ECF 28519) no later than May 28, 2024.

3. If the deadline imposed in Paragraph 2 above cannot be met in an individual case, counsel for plaintiff shall file and serve a Notice of Inability to Substitute, using the form filed as Exhibit A to this Order.

4. Cases that fail to comply with either the deadline in Paragraph 2 above or the notice requirements in Paragraph 3 above shall be subject to a show cause order as to why the case should not be dismissed with prejudice.

RUKHSANAH L. SINGH
UNITED STATES MAGISTRATE JUDGE